

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

IN RE: R. Roy Johnson Sharon Johnson Debtors.	: : : : : : : :	CASE NO. : 18-12686 JUDGE BUCHANAN CHAPTER 13 <u>RESPONSE TO OBJECTION</u> <u>TO CONFIRMATION FILED</u> <u>BY JP MORGAN CHASE BANK</u> <u>(DOC. # 17)</u>
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J.P. Morgan Chase Bank, NA (“Chase Bank”) objects to confirmation of the Debtors’ Chapter 13 Plan for the alleged reason that the Debtors are in arrears in the amount of \$15,361.50 on a mortgage held by Chase Bank that purportedly encumbers the Debtors’ residential real estate at 317 Main Street, Hamilton, OH. Chase Bank argues that the Debtors are unable to give adequate protection, that there is no equity in the property which is secured by the mortgage, and that the Debtors’ Chapter 13 Plan does not provide for the curing of the alleged arrearage in a reasonable period of time.

In response to the Objection of Chase Bank, the Debtors, through counsel, state that (1) there is no mortgage that encumbers the Debtors’ residential real estate at 317 Main Street, Hamilton, Ohio; (2) Chase Bank may claim a mortgage on *rental* property belonging to the Debtors, by virtue of an assignment of mortgage, but there is no such assignment filed with the county recorder’s office where the *rental* property is situated; and, (3) the Debtors do not believe that they are in arrears on a mortgage to Chase Bank.

WHEREFORE, the Debtors respectfully request that the Objection to Confirmation filed by Chase Bank not be upheld, but, rather, that the Debtors' Plan be confirmed.

Respectfully submitted,

/s/ Christine B. Hill

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CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing Response was served electronically on the date of the filing through Court's ECF system on all ECF participants registered in this case at the email address registered with the court and by ordinary US Mail on August 2, 2018, addressed to:

R. Roy and Sharon Johnson
317 Main Street
Hamilton, OH 45013

/s/ Christine B Hill

Attorney for Debtors